

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Scott A. CUMMINGS

Appl. No.: 10/682,536

Filed: October 10, 2003

For: **System, Method, and Computer
Program Product for Utilizing
Proprietary Communication
Parameters to Improve Channel
Efficiency in a DOCSIS-Compliant
Broadband Communication System**

Confirmation No.: 9722

Art Unit: 2416

Examiner: Chan, Sai Ming

Atty. Docket: 1875.4850000

Amendment and Reply Under 37 C.F.R. § 1.111

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated January 22, 2009, (PTO Prosecution File Wrapper Paper No. 20090109), Applicant submits the following Amendment and Remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks and Arguments begin on page 14 of this paper.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net

addition of claims) are hereby authorized to be charged to our Deposit Account
No. 19-0036.